

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

TINA LINDQUIST,

Plaintiff,

vs.

HEIM, L.P.,

Defendant.

Civil Action No: 04-249E

**JUDGE SEAN J. MCLAUGHLIN /  
MAGISTRATE JUDGE SUSAN  
PARADISE BAXTER**

PAUL R. ROBINSON, ESQUIRE  
PA I.D. No. 65581

MEYER, DARRAGH, BUCKLER,  
BEBENEK & ECK, P.L.L.C.  
U.S. Steel Tower, Suite 4850  
600 Grant Street  
Pittsburgh, PA 15219  
(412) 261-6600

**CERTIFICATE OF DISCOVERY DISPUTE**

AND NOW, comes the defendant, HEIM, L.P., through its counsel, MEYER, DARRAGH, BUCKLER, BEBENEK & ECK, P.L.L.C., and files this discovery dispute certificate pursuant to Local Rul 37.1, averring as follows:

1. Defendant has made a reasonable effort to reach agreement with plaintiff's counsel on matters set forth in defendant's motion for protective order.

2. Specifically, in response to plaintiff's first two notices of designated corporate official deposition, defendant produced a corporate designee, Mr. Anthony Mase, who was questioned at length by plaintiff.

3. In addition, following service of plaintiff's third notice, counsel for the parties had numerous discussions concerning its vagueness and inappropriateness, and plaintiff's counsel stated he would not proceed with the deposition if he was advised in writing that Heim did not have someone additional "that was going to surprise him by appearing at trial."

4. Nonetheless, plaintiff's third notice of designated corporate official deposition contains requests that are overly broad, vague, unduly burdensome, and harassing, and it seeks to obtain information that is completely irrelevant and not at all calculated to lead to the discovery of admissible evidence.

WHEREFORE, defendant Heim, L.P. respectfully files its certificate of discovery dispute pursuant to Local Rule 37.1, and incorporates the relief requested in its motion for protective order.

Respectfully submitted,

MEYER, DARRAGH, BUCKLER,  
BEBENEK & ECK, P.L.L.C.

By: /s/ Paul R. Robinson, Esquire  
PAUL R. ROBINSON, ESQUIRE  
Attorney for Heim, L.P.  
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### PROOF OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been served upon all parties on the date and in the manner listed below:

<u>  X  </u>	First Class Mail, Postage Prepaid
<u>          </u>	Certified Mail - Return Receipt Requested
<u>          </u>	Hand Delivery
<u>          </u>	Facsimile Transmission
<u>  X  </u>	Electronic Filing

at the following address:

Dallas W. Hartman, Esquire  
Dallas W. Hartman P.C.  
2815 Wilmington Road  
New Castle, PA 16105  
*(Counsel for Plaintiff)*

MEYER, DARRAGH, BUCKLER,  
BEBENEK & ECK, P.L.L.C.

Date: November 23, 2005

/s/ Paul R. Robinson  
PAUL R. ROBINSON, ESQUIRE